

Application No. 10/522,878
Amendment dated January 31, 2007
Reply to Office Action of October 11, 2006

Docket No.: 1522-0142PUS1

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to Figures 9-13.

Attachment: Replacement sheets

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1 and 3-5 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejection in view of the amendments and remarks as set forth below.

Drawings

The Examiner objected to the drawings and required that the legend "Prior Art" being added to Figures 9-13. By way of the present invention, Applicant is providing Replacement Drawings which include this legend. Accordingly this objection is believed to be overcome.

Rejection under 35 USC 102

Claim 2 stands rejected under 35 USC 102 as being anticipated by the admitted prior art. This rejection is respectfully traversed. By way of the present amendment, this claim has been cancelled rendering this rejection moot.

Rejection under 35 USC 103

Claim 1 stands rejection 35 USC 103 as being obvious over the admitted prior art in view of Hansen (US Patent 1,919,328). This rejection is respectfully traversed.

The Examiner points out the admitted prior art includes a cargo container door locked with theft prevention means including a handle hub 20 welded to one side of the locking rod 10, the handle hub having a pair of fastening holes 23. The Examiner feels that the admitted prior art discloses the claimed invention except for a pair of circular recesses formed at opposite outer sides of the fastening holes for receiving a rivet. The Examiner feels that this arrangement is well known as shown by Hansen.

By way of the present Amendment, Applicants have amended claim 1 to include some of the limitations of claim 2 and to further define the invention over the prior art. Thus, claim 1 now includes a description of the handle having second fastening holes so that the rivet is fastened through both sets of fastening holes. The handle is also described as having a stopper

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which protrudes downwardly. Thus, Claim 1 includes not only the arrangement of the recesses for receiving the rivet head but also the stopper which protrudes downwardly.

In the Examiner's rejection of claim 2, the Examiner felt that the admitted prior art showed an elevated portion that acts as a stopper. However, this portion extends outwardly rather than downwardly. Claim 1 now makes it clear that the stopper refers to element 430 rather than the elevated section above this stopper. Further, the description of the handle also points out the stopper is positioned near one side of the holding piece 610. The elevated portion is positioned near the top of this holding piece rather than one side. For these reasons, Applicant submits that claim 1 is not obvious over the admitted prior art.

Applicants have also added dependent claims 3-5 to further define the invention. Claims 3 and 4 relate to the operation of the handle when the rivet is removed and how the stopper interacts with the fixing plate. Claim 5 further describes the elevated portion as a separate element to further make it clear that the stopper described in claim 1 does not refer to this elevated portion.

Conclusion

In view of the above remarks, it is believed the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of the claims are respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse Reg. No. 27,295 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: January 31, 2007

Respectfully submitted,

By 

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Attachments Replacement Sheets